

# **REGULAR MEETING NORTH SMITHFIELD TOWN COUNCIL**

**OCTOBER 19, 2015**

**KENDALL-DEAN SCHOOL AUDITORIUM**

**6:45 P.M.**

## **OPEN FORUM**

### **Town Manager vs Town Administrator**

**Michael Rapko believes the town needs to consider having an election for a Charter change to have an appointed Town Manager rather than an elected Town Administrator.**

### **School Committee Vacancy**

**Ms. Margaret Votta asked if there had been a formal posting of the vacancy on the School Committee.**

**Ms. Hamilton responded there had been advertisements placed in the Valley Breeze and the Woonsocket Call and she did mention it on the radio show where she appeared as a guest.**

**(Mrs. Nadeau arrived at 6:55 P.M.)**

## **REGULAR MEETING**

**The meeting began at 7:03 P.M. with the prayer and the pledge to the flag. Council members present were Ms. Alves, Mrs. Nadeau, Mr. Soly, Mr. Zwolenski and Mr. Boucher. Also in attendance were Town Administrator Hamilton and Town Solicitor Igliozi.**

## **ROUNDAABOUT AT INTERSECTION OF ROUTES 5 AND 104**

**Jill Nascimento of the Rhode Island Department of Transportation explained that this project has reached the thirty percent design stage. There had been some maintenance issues with the traffic signal. The department had received a request from Administrator Hamilton and former Town Councilman John Flaherty to see if there was anything that could be done to remedy the situation. The request went to the State Traffic Commission who approved the roundabout.**

**Ms. Nascimento claimed a roundabout is a proven safety improvement and that congestion would be less.**

**Mr. Soly was concerned about the safety of those students who walk. Currently there is a signal that they can control.**

**Mr. Zwolenski felt that vehicles were travelling at excessive speeds. He asked if there would be traffic lights at the pedestrian crossings and was told there would not be.**

**Another DOT representative stated that speed would be reduced to approximately 25 miles per hour within the roundabout. The low speed would be beneficial to pedestrians.**

**Mr. Boucher asked if the police and fire chiefs could weigh in on this.**

**Mrs. Nadeau asked about the impact to emergency vehicles and was**

told they would be slowed down as well.

## **EXECUTIVE SESSION**

**MOTION by Mr.Zwolenski, seconded by Mr. Soly, and voted unanimously on a roll call vote to enter into executive session at 7:39 P.M. pursuant to RIGL 42-46-5(A)(5) Any discussions or considerations related to the acquisition or lease of real property for public purposes, or of the disposition of public held property wherein advanced public information would be detrimental to the interest of the public.**

**MOTION by Mr. Zwolenski, seconded by Mrs. Nadeau, and voted unanimously on a roll call vote to come out of executive session at 7:58 P.M. and to seal the minutes. No motions were made and no votes were taken.**

**MOTION by Mrs. Nadeau, seconded by Mr. Boucher, and voted unanimously on a roll call vote to move up the second executive session.**

## **Bucci Development Corp vs Town of North Smithfield**

**MOTION by Mrs. Nadeau, seconded by Mr. Boucher, and voted unanimously on a roll call vote to enter into executive session at 8:00 P.M. pursuant to RIGL 42-46-5(A)(2) Sessions pertaining to collective bargaining or litigation or work sessions pertaining to collective**

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**bargaining or litigation to discuss Bucci Development Corp. vs Town of North Smithfield.**

**MOTION by Mrs. Nadeau, seconded by Mr. Soly, and voted unanimously on a roll call vote to come out of executive session at 8:25 P.M. and to seal the minutes. No motions were made and no votes were taken.**

#### **BUCCI DEVELOPMENT CORP VS TOWN OF NORTH SMITHFIELD**

**MOTION by Mr. Boucher and seconded by Mrs. Nadeau to accept the agreement regarding Dowling Village sewer assessments on behalf of the town including the correspondence dated September 23, 2015 from Maura Beck, North Smithfield Water and Sewer Coordinator, to Brian Bucci and the correspondence dated October 15, 2015 from Maura Beck to Attorney Anthony Cottone and the North Smithfield Town Council. The agreement includes a two-page spreadsheet dated September 23, 2015.**

**This motion and the second was withdrawn.**

**MOTION by Mr. Boucher, seconded by Mrs. Nadeau and voted unanimously on a roll call vote to accept this agreement worked out by the attorneys for both parties that includes the correspondence dated September 23, 2015 from Maura Beck, North Smithfield Water and Sewer Coordinator, to Brian Bucci and the correspondence dated**

**October 15, 2015 from Maura Beck to Attorney Anthony Cottone and the North Smithfield Town Council plus the two-page chart dated September 23, 2015 per the recommendation of the Sewer Commission. The agreement is subject to final review in a form approved by the Town Solicitor. The Town Administrator is authorized to sign the agreement.**

## **CONSENT AGENDA**

**Mr. Zwolenski requested to remove the quarterly budget recap.**

**Mr. Boucher requested to remove the payment of bills.**

**MOTION by Mr. Boucher, seconded by Mr. Zwolenski, and voted unanimously on a roll call vote to approve the following: 1.) Town Council minutes of September 29, 2015; 2.) Board of Assessment Review minutes of March 26, 2015; 3.) Budget Committee minutes of August 27, 2015; 4.) Historic District Commission minutes of September 22, October 27, November 24 and December 22, 2014 & January 26, February 23, March 23, April 27, May 18, June 22 and July 27, 2015; 5.) Planning Board minutes of September 3, 2015; 6.) Animal Control monthly report for September 2015; 7.) NSF&RS Inc. monthly report for September 2015; 8.) NS Municipal Court monthly report for September 2015; 9.) NSPD monthly report for September 2015; and 10.) Resolution in support of the Quonset Air Museum from the Towns of Middletown and Westerly.**

## **Payment of Bills**

**After Council members received answers to several questions, MOTION by Mr. Zwolenski, seconded by Mrs. Nadeau, and voted unanimously on a roll call vote to approve payment of the following based upon the recommendations of the Town Administrator and the Finance Director: General Fund - \$645,554.17; Sewer - \$6,945.78; Water - \$73,147.18; School Department - \$1,553,518.58; and Fire Department - \$214,090.00 for a total of \$2,028,164.26.**

## **Quarterly Budget Recap**

**MOTION by Mr. Zwolenski, seconded by Ms. Alves, and voted unanimously on an aye vote to accept and place on file.**

## **NORTH SMITHFIELD SOLAR PPA: INITIAL REVIEW**

**This was continued to November 2, 2015 at the request of Mr. Frank Epps.**

## **SOLAR POWER PURCHASE AGREEMENT WITH ENERGY DEVELOPMENT PARTNERS**

**This was also continued to November 2, 2015 at the request of Mr. Frank Epps.**

## **AWARD OF BID FOR WOONSOCKET INFRASTRUCTURE VALUATION PROPOSALS**

**Finance Director Jason Parmelee did not want to make any recommendations. He feels this should go back to legal counsel to**

**make sure the three-pronged attack is something the town wants to  
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**pursue. All this award may do is open a can of worms. Mr. Parmelee  
would like legal counsel to confirm that this is still a viable option.**

**This was continued to November 16, 2015 for the Solicitor's review  
and opinion.**

## **KENDALL-DEAN DEED RESTRICTIONS AND TITLE INSURANCE REQUIREMENTS**

**Mrs. Nadeau placed this on the agenda because of an Access to  
Public Records Request that had been received as well as Public  
Buildings Improvement Commission concerns on use of this building  
and clarity of the title.**

**Mr. Igliozzi stated that any time you're trying to get a bond that  
includes a real estate structure, there has to be a title search. The  
title company commits they will issue a policy for up to whatever  
dollar amount is required. The bonding company needs a  
commitment from a title insurance company before issuing funding.**

**Mrs. Nadeau wants to be sure that the title to this building and any  
deed restrictions will be cleared.**

**Mr. John Flaherty asked if this title search would have to be done on**

**the five buildings. He would like a letter from the town's fiscal advisor whether insurance is necessary.**

**Mr. Parmelee agreed to contact the town fiscal advisor.**

**MOTION by Mrs. Nadeau, seconded by Mr. Boucher, and voted unanimously on a roll call vote to authorize going out to bid for a title search and title insurance if it is determined by the town's financial advisor that title insurance is required.**

### **APPOINTMENT TO SCHOOL COMMITTEE**

**Mr. Soly feels this has been a murky process so far. He does not recall voting on a deadline for applications to be received and he does not support voting on this item this evening.**

**MOTION by Mr. Zwolenski and seconded by Mrs. Nadeau and Mr. Boucher to nominate Michael Clifford.**

**MOTION by Mr. Soly and seconded by Mrs. Nadeau and Mr. Zwolenski to nominate Margaret Votta.**

**Roll call vote on Mr. Clifford: Ms. Alves - yes; Mrs. Nadeau - yes; Mr. Soly - no; Mr. Zwolenski - yes; and Mr. Boucher - yes. Mr. Clifford is appointed.**

**MOTION by Mr. Zwolenski, seconded by Mr. Soly, and voted**



**unanimously on a roll call vote that Mr. Clifford will take office as of November 1, 2015 and will resign from the Budget Committee.**

#### **APPOINTMENT TO SEWER COMMISSION**

**MOTION by Mr. Zwolenski, seconded by Mrs. Nadeau, and voted unanimously on a roll call vote to appoint William A. Dorry, IV to the Sewer Commission. This is a five-year term that expires on December 1, 2015.**

#### **RESIGNATION FROM JUVENILE HEARING BOARD**

**MOTION by Mrs. Nadeau, seconded by Mr. Soly, and voted unanimously on an aye vote to accept the resignation of Daniel Lepore from the Juvenile Hearing Board and to send him a letter of appreciation.**

#### **STATUS OF SCHOOL BOND**

**Mr. Flaherty, a member of the Public Buildings Improvement Commission, stated the deadline for the Stage I application is November 1, 2015. He added that with the new RIDE requirements, there are two application processes, one being a fast track. There is no hard and fast deadline for Stage II.**

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## **SEAMLESS DOCS, ELECTRONIC DOCUMENT SERVICE**

**Mr. Parmelee explained this proposal is to see if the town was interested in pursuing getting and submitting electronic forms online. He explained the proposal given to him by Seamless Docs.**

**The Council members were interested in moving forward with this so Mr. Parmelee will return at a later date with more information.**

## **EXTENSION OF SERVICE WITH DAVISON & ASSOCIATES, LLC**

**Attorney Davison is coming to the end of her allotted time for review of the Studio Meja contract for the town buildings. She has gone through a peer review with another architect who has found some things that need to be addressed. Ms. Davison has offered to do all the negotiating with this contract with an extension of six hours at \$200 per hour.**

**MOTION by Mrs. Nadeau and seconded by Mr. Zwolenski to allow Ms. Davison to work with Mr. Iglioizzi and Studio Meja to finalize the financials and the wording of the contract with Studio Meja for additional time not to exceed six hours at a fee not to exceed \$1,200 and that the Town Administrator is authorized to sign the contract with Studio Meja.**

**Following concerns raised by Mr. Soly about possibly having to pay additional fees to the second architect mentioned by Ms. Davison,**

**Mrs. Nadeau withdrew her motion and Mr. Zwolenski withdrew his second.**

**MOTION by Mrs. Nadeau, seconded by Mr. Soly, and voted unanimously on a roll call vote to grant six additional hours to Ms. Davison for her time only with no additional expenses and that the Town Administrator is authorized to sign the document.**

**MOTION by Mr. Soly, seconded by Mr. Zwolenski, and voted unanimously on an aye vote to adjourn at 9:58 P.M.**

**Respectfully submitted,**

**Debra A. Todd, Town Clerk**